

VZCZCXRO8598
RR RUEHHM
DE RUEHHI #0643/01 1540948
ZNR UUUUU ZZH
R 020948Z JUN 08
FM AMEMBASSY HANOI
TO RUEHC/SECSTATE WASHDC 7922
INFO RUEHHM/AMCONSUL HO CHI MINH 4788
RUEHC/DEPT OF LABOR WASHINGTON DC

UNCLAS SECTION 01 OF 02 HANOI 000643

SIPDIS

STATE FOR EAP/MLS AND DRIL/ILCSR FOR MMITTELHAUSER
G/TIP FOR SSTEINER
STATE PASS USDOL FOR RRIGBY

E.O. 12958: N/A

TAGS: [ELAB](#) [ECON](#) [POL](#) [EIND](#) [ETRD](#) [PHUM](#) [SOCI](#) [VM](#)

SUBJECT: VIETNAM: FORCED AND CHILD LABOR IN THE PRODUCTION OF GOODS

REF: STATE 043120

¶1. Summary: Forced and child labor (as defined by the Trafficking Victims Protection Reauthorization Act of 2005) is not generally used to produce goods in Vietnam. While there is some evidence that abuses do sometimes occur, they are neither widespread nor systematic. Indeed, much of the information for this report was collected as part of GVN efforts to identify and eradicate child labor. In large-scale factory settings, child labor is virtually nonexistent, occurring only when minors successfully misrepresent their age to obtain employment. The use of child labor in family enterprises and in the agricultural sector does occur, although the numbers of incidents is small and local authorities are focusing on programs to end this abuse. Forced labor by convicted prisoners and drug users in cashew processing is acknowledged by Government of Vietnam (GVN) officials and is considered part of the rehabilitation process. The practice is not widespread, however, and represents an insignificant portion (less than 0.3 percent) of Vietnam's cashew industry. End Summary.

Note Data Sources

¶2. Two major GVN efforts to identify and eradicate child labor are currently underway. A four-year (2008-2012) program spearheaded by the Office of Government (which occupies a position within the GVN somewhat analogous to the White House in the American government) is currently in the initial information-gathering stage, after which the survey data will be analyzed and child labor eradication efforts developed and launched. Another four-year (2006-2010) program funded by the Ministry of Labor, Invalids and Social Affairs (MOLISA) aims to alleviate child labor in three of the country's largest urban areas, Hanoi, Haiphong, and HCMC. Program components include vocational training for homeless children, micro-credits and educational assistance for parents of children involved in or at risk of child labor, and education regarding causes and harmful effects of child labor for likely employers of children. The GVN made data collected for these programs available to ConGen HCMC for the preparation of this report. While not exactly applicable to the specific requirements of this report since not all data was broken down by specific product, the overall rate of child labor was found to be approximately 1 in 5,000. Since the data collection effort, targeted programs have been implemented to eradicate child labor so the rate may now be lower.

CASHEWS

¶3. SOURCE AND TYPE OF EXPLOITATION: Vietnamese government officials in 2007 confirmed NGO reports that a small number of prisoners, incarcerated in accordance with the Vietnamese criminal code, are subject to forced labor, including under contracts with private firms, to process cashews. This includes persons confined in Vietnam's 84 drug rehabilitation centers (known as "06 centers").

¶4. NARRATIVE: A small number of prisoners are contracted out to

family-run, small-scale cashew operations as part of the Vietnamese justice system's mandate to "rehabilitate" prisoners, including through labor. GVN officials stress that proper protective equipment is used. Residents of Vietnam's "06" drug rehabilitation centers are required to participate in drug education classes and social labor. Residents do receive a small salary for their work, however part of the money is then returned to the center to support the costs of the rehabilitation program. Large cashew exporting companies said they do not use prison or "06" camp resident labor for many reasons, including a need to strictly control the production chain to ensure consistent quality and because they do not trust forced labor to meet high quality standards.

¶5. INCIDENCE: Vietnamese government officials stated in 2007 that prisoners worked approximately 1,000 hectares of cashew plantations. Since Vietnam's total cashew acreage is currently between 350,000 and 400,000 hectares, the area cultivated by prisoners is equal to 0.3% of the total.

CANDY AND INCENSE -----

¶6. SOURCE AND TYPE OF EXPLOITATION: Ho Chi Minh City officials stated in May 2008 that in September 2006, as part of an on-going effort to combat child labor, they compiled statistics on child labor from 21 of the city's 24 districts. These data indicated that approximately 600 children worked in family homes making candy and incense.

¶7. NARRATIVE: Officials believe that all of the children worked in non-hazardous conditions. The two areas where they did find child labor were in the home-based production of candy and incense. The

HANOI 00000643 002 OF 002

purpose of the data collection effort was to identify and eradicate child labor, an ongoing priority for the city. A similar program is now getting underway nationwide. While it is not yet possible to generalize from Ho Chi Minh City to the entire country, as the country's largest and most densely populated city as well as its industrial heartland, child labor in other cities is probably no more common.

¶8. INCIDENCE: The fact that the study found 600 cases of child labor among the approximately 2,500,000 residents of the city who are aged 15 or under indicates that the incidence of child labor in family home-based industries is 0.02 percent of the population, or roughly one in 5,000 children.

HAND-WOVEN HATS AND BASKETS -----

¶9. SOURCE AND TYPE OF EXPLOITATION: A credible NGO stated in 2008 that they knew of children weaving hats and baskets from palm thatch in family homes in HCMC, but that they did not know how many such families existed in total because of the lack of comprehensive surveys of child labor.

¶10. NARRATIVE: Credible NGO could not provide a comprehensive description of the nature and conditions of the child labor, but speculated that it likely consisted of children helping at their parents' business for several hours a day after school, but might include instances of children working longer hours. While the NGO could not provide statistics these children may have been included in the miscellaneous home industries captured by the data collection efforts undertaken by HCMC city officials as noted above.

¶11. INCIDENCE: The child labor survey described in par. 2 may eventually provide quantitative data about the degree of child labor involved in producing these goods nationwide. As other sources interviewed had no knowledge of these goods being produced by child labor, we do not believe they represent a significant incidence. The 1 in 5,000 figure derived from the HCMC study data could well prove accurate for all types of child labor.

GOLD

¶12. SOURCE AND TYPE OF EXPLOITATION: In March 2008, Vietnamese print and television news media reported that approximately twenty 15 year-old children had been forced to mine gold in central Quang Nam province. As press reports on "social evils" in Vietnam are generally accurate, Mission considers these reports credible.

¶13. NARRATIVE: The media reported that the children were forced to work long hours with inadequate food, and that some were subject to physical and sexual abuse. Provincial officials formed a task force headed by the police to investigate that mine and others in the area, arresting the perpetrators of the crime. Four children who escaped from the mine are now being sheltered by local authorities and will testify in an upcoming trial of the mine owner.

¶14. INCIDENCE: The appropriate and timely response of local officials in this case along with the absence of additional reports indicates that this was an isolated incident, to which law enforcement responded appropriately.

MICHALAK